

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27556 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- BAHADURGANJ District- Kishanganj

Md. Adil @ Adil Alam S/O Nazir Hussain @ Nazir R/O Village-Dubadangi,
P.S.- Bahadurganj, District Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Bahadurganj P.S. Case No. 178 of 2020 instituted for the offences under Sections 328, 304(B), 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.07.2020, charge-sheet has been submitted in the case and is a person with clean antecedent.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that this petitioner had informed the informant that his daughter has consumed poison and accordingly the informant reached the place of occurrence and then to the hospital where



she was being treated. It is further alleged that his daughter who was married to this petitioner in the year 2018, in the hospital disclosed that she was poisoned by this petitioner and her mother-in-law and further that at the time when poison was being administered to her, Md. Moti, Md. Jamal and Ekramul Haque were also present.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that it was the petitioner who informed the informant that his daughter has consumed poison. Learned counsel further submits that if he had administered poison to the deceased then firstly he would not have taken her to hospital, nor he would have informed the informant as the deceased was not in an unconscious state rather she was conscious when she was being treated in the hospital. It is further submitted that during the course of investigation it has come that the marriage between the petitioner and the deceased was a love marriage and it was because of some altercation between the two that she in anger consumed poison and when this petitioner realized that she has consumed poison, he immediately took her to the hospital.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner but fairly submits that in



the investigation it has come that it was the petitioner who informed the informant about the fact that his daughter has consumed poison.

Considering the fact that the petitioner is in custody since 04.07.2020, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and it was he who informed the informant that she had consumed poison and had taken the deceased to the hospital for treatment, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Kishanganj in connection with Bahadurganj P.S. Case No. 178 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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